

From: Dana Lee Ling
To: Microsoft ATR
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Subject: Comments on settlement

I think ultimately technology will outrace the courts on this matter. Any proposed settlement should have sufficient teeth to prevent Microsoft from engaging in non-competitive practices, level the playing field, and actively encourage competitors. That said, the industry will likely render any settlement moot. Compare, for example, the sudden and explosive rise of open source software for Internet servers to the sudden conversion to TCP/IP and Internet protocols in the late 90's that led to the virtual death of software giant Novell. Sure, Microsoft has a monopoly on the desktop. But the arrival of Apple onto the Unix desktop scene is evidence that if a level field is assured, then others can compete and today's software giant is tomorrow's dust bin occupant. Even Microsoft is subject to the markets it created. In the early years of Linux Microsoft said the operating system was not a significant player and that there would never be a version of Microsoft Office for Unix. Now we have Office V.x that runs under BSD Free Unix on the new Macintosh OS X. In some sense, time and technology will do more damage to Microsoft than any legal settlement.

Dana Lee Ling
dleeling@comfsm.fm